

APPLICATION FOR
FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: Application Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED December 10, 2001	Applicant Identifier State
		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier FW-22-D ✓

5. APPLICANT INFORMATION		
Legal Name: Indiana Department of Natural Resources Address (give city, county, state, and zip code): 402 West Washington, Rm W273 Indianapolis, IN 46204-2781	Organizational Unit: Division of Fish and Wildlife Name and telephone number of the person to be contacted on matters involving this application (give area code): Gary Armstrong 317-232-8166	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): <div style="border: 1px solid black; padding: 2px; display: inline-block;">35 - 6000158</div>	7. TYPE OF APPLICANT: (enter appropriate letter in box) A	
8. TYPE OF APPLICATION: <div style="text-align: center;"> <input type="checkbox"/> New <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Revision </div> If Revision, enter appropriate letter(s) in box(es) O <div style="display: flex; justify-content: space-between;"> <div> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): Add language to Grant Proposal </div> <div> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) </div> </div>	9. NAME OF FEDERAL AGENCY: U.S. Department of Interior, Fish and Wildlife Service	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div style="text-align: center;"> <div style="border: 1px solid black; padding: 2px; display: inline-block;">15 - 605</div> </div> TITLE: Wildlife Restoration 15- 611	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Fish and Wildlife Area Development <i>Amc.#</i>	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Statewide	APPROVED <i>B. Smith</i> U.S. Fish and Wildlife Service <i>Date: 12/12/01</i>	
13. PROPOSED PROJECT	14. CONGRESSIONAL DISTRICTS OF:	
Start Date Ending Date a. Applicant 7/1/1998 1/31/2002 7	b. Project Statewide (1-9)	
15. ESTIMATED FUNDING:		
a. Federal \$	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE b. NO. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
b. Applicant \$		
c. State \$		
d. Local \$		
e. Other \$		
f. Program Income \$		
g. TOTAL \$ 0.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.		
a. Type Name of Authorized Representative Gary Armstrong	b. Title Planning and Federal Aid Supervisor	c. Telephone Number 317-232-8166
d. Signature of Authorized Representative <i>Gary Armstrong</i> ✓		e. Date Signed 12/10/2001 ✓

Corrective Action Implementation Plan

Finding 1:

Field trials interfere with hunting on some Fish and Wildlife Areas in Indiana.

Corrective Action 1:

Field trials must be discontinued on Fish and Wildlife Areas during the hunting seasons for commonly hunted game species. This must occur starting in calendar year 2001. See Discussion of Findings Section for affected hunting seasons.

Agency Response 1:

In a letter dated June 27, 2001, Region 3 approved a Indiana Division of Fish and Wildlife (IDFW) request to discontinue Field Trials that interfere with hunting on Fish and Wildlife Areas effective November 5, 2001.

Field trial activities will be limited to February 1 through April 15, during daylight hours only. This will eliminate any interference with hunting seasons. A maximum of ten (10) individual days during this period will be available for trial/test activities at each property. No trial will exceed two consecutive days in length. Only one trial/test will be hosted per day. Persons participating in, judging, or observing field trial/test events are restricted to walking.

Field trial/testing activities will not occupy more than a total 100 acre block in an area designated by the property manager. No vegetation management will be undertaken by any party to accommodate or enhance the use of the property for these activities. The Department will not provide any building, equipment, supplies, fixtures, etc. to accommodate these activities. The event will take place in an area designated by the property manager.

Finding 2:

Field trials interfere with wildlife viewing, shooting range use, and fishing on some Fish and Wildlife Areas in Indiana.

Corrective Action 2:

Field trials must be discontinued when they would interfere with wildlife viewing, would cause the closure of shooting ranges, or would utilize fishing ponds during the open fishing season. This must occur starting May 1, 2001.

Agency Response 2:

In a letter dated June 27, 2001, Region 3 approved an Indiana Division of Fish and Wildlife (IDFW) request to discontinue Field Trials that interfere with wildlife viewing, would cause closure of shooting ranges or would utilize fishing ponds on Fish and Wildlife Areas effective November 5, 2001.

Field trials must be discontinued when they would interfere with wildlife viewing, would cause the closure of shooting ranges, or would utilize fishing ponds during the open fishing season. Property managers will have the authority to manage property activity during field trials/tests.

Finding 3:

Some lands purchased, developed, and/or managed with Federal Aid funds in Indiana are no longer serving their approved purpose.

Corrective Action 3:

Lands and the field trial support facilities that occupy them must be converted to another use that brings them into compliance with the Federal Aid Acts, rules, regulations, standards and grant documents:

This means: (a) field trial clubhouses must be converted to another use that supports accomplishment of grant objective by July 1, 2001; and (b) an amendment to Indiana grant FW-22-D must be submitted by July 1, 2001, which documents the needs, objectives, benefits, approaches, locations, time frames, costs, and other details regarding the new uses of the former field trial clubhouses. Otherwise, (c) the clubhouses must be removed by September 1, 2001, and the lands must be restored in a manner that supports accomplishment of grant objectives

This means: (a) horse stalls and other horse related structures must be removed from horse barns by July 1, 2001; (b) horse barns must be converted to another use that supports accomplishment of grant objectives by July 1, 2001; and (c) an amendment to Indiana grant FW-22-D must be submitted by July 1, 2001, which documents the needs, objectives, benefits, approaches, locations, time frames, costs, and other details regarding the new uses of the former horse barns. Otherwise, (d) the horse barns must be removed by September 1, 2001, and the lands must be restored in a manner that supports accomplishment of grant objectives.

This means: (a) bird pens must be converted to another use that supports accomplishment of grant objectives by May 1, 2001; and (b) an amendment to Indiana grant FW-22-D must be submitted by July 1, 2001 to document the needs, objectives, benefits, approaches, locations, time frames, costs and other details regarding the new uses of the former bird pens. Otherwise, (c) the bird pens must be removed by September 1, 2001, and the lands must be restored in a manner that supports accomplishment of grant objectives.

A monthly progress report that documents progress on the planning and implementation of the above corrective actions must be submitted to the Fish and Wildlife Service until the above actions have been completed and a final report has been submitted to and accepted by the Service.

Agency Response 3:

In a letter dated June 27, 2001, Region 3 approved an Indiana Division of Fish and Wildlife (IDFW) request to discontinue Field Trial activities that utilize land or support activities in a manner incompatible with Federal Aid Acts, rules, regulations, standards and grant documents effective November 5, 2001.

The IDFW will inventory and review all field trial support facilities to determine potential program uses. The facility inventory, which will indicate necessary and unnecessary facilities, will be provided to the Fish and Wildlife Service for review and approval. The IDFW will remove all field trial specific support facilities that are not needed for program purposes pending appropriate State Historic Preservation Officer review and approval. This process is intended to be completed during calendar year 2002. Beginning January 2002, the Region 3 Federal Aid office will receive monthly reports of progress toward removing field trial specific support facilities.

Finding 4:

Some field trials on Fish and Wildlife Areas in Indiana are having a negative impact on fish and wildlife habitat.

Corrective Action 4:

Lands adversely effected by field trial activities must be restored in a manner that supports accomplishment of grant objectives:

This means that (a) areas where the ground cover vegetation has been trampled and denuded of vegetation must be rehabilitated by establishment of a permanent vegetative cover and the intensity of future field trial use must be managed to prevent future trampling and denuding of vegetation; (b) that soil erosion which is causing siltation and sedimentation in streams and lakes must be stopped; (c) that mowing and other management practices designed to benefit field trials rather than wildlife must be discontinued; and (d) that stream crossings must be eliminated from field trial courses.

This means that (a) a restoration plan that identifies needs, objectives, benefits, approaches, locations, time frames, costs, and other details must be submitted for approval by the Fish and Wildlife Service by February 1, 2001; (b) that restoration work must commence by spring of 2001 and proceed annually until the work has been completed; and (c) the Service must be provided a monthly status report regarding plan implementation and progress until restoration has been completed and a final report has been submitted and accepted by the Fish and Wildlife Service.

Agency Response 4:

In a letter dated June 27, 2001, Region 3 approved an Indiana Division of Fish and Wildlife (IDFW) request to extend the phase out of Field Trials on Fish and Wildlife Areas to November 5, 2001. Subsequent to this change, the corrective action date for restoration plans will become February 1, 2002.

Field trial impacts vary significantly by site and by the type of trial conducted. Property managers will review all sites for disturbance and provide a report of the condition and restoration needs, if any. Specifically, maintenance of stream crossings for horses will be eliminated. Requirements for seeding, plantings and erosion control will be documented on a site by site basis. Restoration details such as objectives, needs, and time frames will be included in each site report. Restoration work will commence in the spring of 2002. Beginning in March of 2002 the Region 3 Federal Aid office will receive monthly reports detailing the progress of these efforts. Monthly reporting will continue until a final report has been received and approved by the Fish and Wildlife Service.

Any field trials or field tests conducted in the future will be conducted with the understanding that the Property Manager has the authority to cancel the event if circumstances, such as soil conditions, weather problems or the condition of birds to be released create conditions that would result in adverse impacts on grant objectives.

So as not to interfere with grant objectives, field trial activities will be limited to February 1 through April 15, during daylight hours only. A maximum of ten (10) individual days during this period will be available for trial/test activities at each property. No trial will exceed two consecutive days in length. Only one trial/test will be hosted per day. Persons participating in, judging, or observing field trial/test events are restricted to walking.

Field trial/testing activities will not occupy more than a total 100 acre block in an area designated by the property manager. No vegetation management will be undertaken by any party to accommodate or enhance the use of the property for these activities. The Department will not provide any building, equipment, supplies, fixtures, etc. to accommodate these activities. The event will take place in an area designated by the property manager.

Finding 5:

Some field trials at Fish and Wildlife Areas in Indiana interfere with wildlife feeding, resting, breeding and other life activities.

Corrective Action 5:

Interference with wildlife feeding, resting, breeding and other life activities must cease. This means there must not be any field trial during critical life stages associated with breeding, nesting, birthing, brooding, resting and feeding for game birds, game animals and ground and shrub nesting migratory birds. This would generally prohibit field trials at Fish and Wildlife Areas from February through October. Exceptions to this prohibition are possible where a detailed and site specific field trial plan is amended into an existing Federal Aid grant and the plan and accompanying NEPA analysis clearly documents there would be no interference. See corrective action 8 for further information.

Agency Response 5:

Field trial activity will be restricted to February 1 through April 15, during daylight hours only, but these dates may be more restrictive if wildlife management concerns warrant. This will eliminate interference with wildlife feeding, resting, breeding and other life activities. A maximum of ten (10) individual days during this period will be available for trial/test activities at each property. No trial will exceed two consecutive days in length. Only one trial/test will be hosted per day. Persons participating in, judging, or observing field trial/test events are restricted to walking. Field trials or tests will not be conducted on Fish and Wildlife Areas purchased, developed, and/or managed with Federal Aid Funds unless plans and conditions for the activity have been included in the appropriate grant document. The grant will include a National Environmental Policy Act (NEPA) analysis of the proposed activity. Documentation will likely be made on a site by site basis to accommodate the significant variations in impact associated with different activities.

Field trial/testing activities will not occupy more than a total 100 acre block in an area designated by the property manager. No vegetation management will be undertaken by any party to accommodate or enhance the use of the property for these activities. The Department will not provide any building, equipment, supplies, fixtures, etc. to accommodate these activities. The event will take place in an area designated by the property manager.

Pen-raised bobwhite quail, ring-necked pheasants, chukar and mallard ducks may be released in the field during the conduct of a trial/test. These birds must be inspected by the property manager and found to be in good health. Birds to be released must be banded with one leg band, as designated by the Division of Fish and Wildlife, prior to release. Only trial/test events which require the recovery of all released birds will be permitted. Every effort must be made by the organization releasing pen-raised birds to remove them from the field during or at the conclusion of the event.

Finding 6:

The DNR is providing preferential treatment for Field Trial Organizations by providing services of material value that only benefit those organizations and their individual members. This preferential treatment is occurring at some Fish and Wildlife Areas in Indiana that have been purchased, developed and/or managed with Federal Aid Funds.

Corrective Action 6:

Use of federal aid acquired lands as sites for field trial clubhouses, horse barns, and other field trial support facilities must be discontinued. Those sites and facilities must be converted to other uses that support accomplishment of grant purposes or the facilities must be removed. See Corrective Action 3.

Mowing of field trial courses and other activities that modify wildlife habitat for the benefit of conducting field trials rather than the benefit of wildlife must be discontinued. See Corrective Action 4.

Use of equipment, purchased with Federal Aid grant funds, to support field trial activities must be discontinued effective May 7, 2001.

Permits and fees for conducting field trials must represent fair market value for use of the area and must be equitable with permits and fees for hunters. The cost of permits and fees for conducting field trails must be described and justified in a site specific field trial plan that is amended into Indiana grant FW-22-D. The income generated from field trial permits must be credited as program income. See corrective action 8.

Agency Response 6:

In a letter dated June 27, 2001, Region 3 approved an Indiana Division of Fish and Wildlife (IDFW) request to discontinue Field Trials on Fish and Wildlife Areas effective November 5, 2001. Subsequent to this change, the corrective action date for discontinuing the use of equipment, purchased with Federal Aid funds, to support field trial activities will become November 5, 2001.

Field trial clubhouses, horse barns, and other support facilities will be removed subject to appropriate State Historic Preservation Officer review. (See Agency Response 3)

Mowing and other activities conducted by the IDFW or others that modify habitats for the benefit of trials rather than the benefit of wildlife will be discontinued. No equipment purchased with Federal Aid funds will be used to support field trial activities. (See Agency Response 4)

The cost of permits and fees for this activity will be described in a site specific Field Trial Plan which will be amended into FW-22-D. Any income generated by field trial/field test activity will be treated as program income according to appropriate Federal Aid rules and regulations.

Finding 7:

The DNR is providing service of material value to Field Trial Organizations and their members for commercial purposes and benefit at Fish and Wildlife Areas in Indiana that have been purchased, developed, and/or managed with Federal Aid Funds.

Corrective Action 7:

Those field trials that have commercial purposes and benefits to individuals or groups must be discontinued on lands that have been purchased or developed with Federal Aid funds or are being managed with Federal Aid funds. Future field trials must clearly be of a noncommercial nature for the benefit of amateur dog owners in a contrast to commercial field trial events for professionals. Commercial purposes and benefits are those that focus on winning a championship, providing cash prizes for winning, increasing the salability and profitability of dogs and their offspring, advertising commercial products, or producing net revenue for the field trial organizers.

Agency Response 7:

The Indiana Field Trial Plan will limit permit application to noncommercial organizations. An on-site commercial advertisement will be prohibited. Field Trial organizers applying for permits for trials which pay cash prizes will be responsible for clearly demonstrating the trial is noncommercial in nature.

Finding 8:

Field trials have become a major and dominant use at a few Fish and Wildlife Areas in Indiana that were acquired, developed, and/or are managed with Federal Aid funds. However, submission and approval of specific field trial plans that describe the proposed field trials and their interrelationship to the existing federal aid project(s) has never occurred. Nor has compliance with the National Environmental Policy Act or other ancillary compliance requirements been achieved regarding the conduct of field trials on lands acquired, developed and/or managed with Federal Aid funds.

Corrective Action 8:

Proposed field trials, including field tests, must no longer occur on Federal Aid lands in Indiana unless a detailed and site specific field trial plan is amended into FW-22-D or another appropriate Federal Aid grant. The field trial plan, grant amendment, and NEPA analysis must clearly document that the level of proposed field trial activities would not interfere with the purpose for which the lands were either acquired, developed and/or managed. Grant amendments must establish that the field trial plan would be in compliance with the requirements of the Federal Aid Acts, regulations, handbook and other requirements. This includes the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act and other Federal ancillary compliance requirements. This would require the preparation of an environmental assessment or an environmental impact statement to achieve a full description of their proposed activity and reasonable alternatives, an analysis of impact, full disclosure, and public involvement. It would simply be a planning mechanism. It would be an effective mechanism to allow the Fish and Wildlife Service to perform its legal responsibility for oversight, monitoring, and periodic review of the Federal Aid Programs. It would also be an effective mechanism for ensuring that Federal Aid acquired, developed and/or managed lands are available for some field trial use.

Agency Response 8:

No field trial or field test activity will occur on Fish and Wildlife Areas purchased, developed and/or managed with Federal Aid funds until a specific site plan and compliance documentation is amended into the appropriate Federal Aid grant.

So as not to interfere with grant objectives, field trial activities will be limited to February 1 through April 15, during daylight hours only. A maximum of ten (10) individual days during this period will be available for trial/test activities at each property. No trial will exceed two consecutive days in length. Only one trial/test will be hosted per day. Persons participating in, judging, or observing field trial/test events are restricted to walking.

Field trial/testing activities will not occupy more than a total 100 acre block in an area designated by the property manager. No vegetation management will be undertaken by any party to accommodate or enhance the use of the property for these activities. The Department will not provide any building, equipment, supplies, fixtures, etc. to accommodate these activities. The event will take place in an area designated by the property manager.